

STATE OF NEW HAMPSHIRE

PROBATE COURT

ADMINISTRATIVE ORDER 7

RELATIVE TO: Estates Opened Solely To Pursue a Cause of Action

Estates opened solely to pursue a cause of action may contain no other assets while the underlying legal action is pending. Under such circumstances, an administrator may file a motion to postpone the requirement to file: a surety bond, an inventory and accounts. Regardless however, while the underlying action is pending, the administrator shall file an annual status report as required in Probate Court Rule 101.

If the underlying legal action is dismissed or fails to recover any assets for the probate estate, within 30 days the administrator shall file a motion to close the estate without an inventory or an accounting, stating that no assets were received and no assets were disbursed.

When the administrator becomes aware that assets will be received as a result of the underlying action, the administrator will, prior to taking possession of any such assets, file a motion with the court stating the source and amount of such funds to be received and requesting permission from the court for authority to take possession of these funds. In ruling on the motion, the court may require publication, a surety bond, an inventory and may set a date for an account.

Nothing in this Administrative Order limits the court's authority to make such other orders as it deems appropriate.

Last Reviewed: August 1, 2007

/s/ David D. King

David D. King

Administrative Judge of Probate Court

History:

Revised August 1, 2007

Effective August 1, 2001

Formerly Administrative Order 2000-01, Issued 1/30/00

See also:

Probate Court Administrative Order 13 relative to Obtaining a Decedent's Medical Records

Probate Court Procedure Bulletin 7 relative to The Appointment of Temporary Administrators Pursuant to RSA 553:20-a